

Case 1:07-cv-05859-JSR-FM Document 11 Filed 02/11/2008 Page 1 of 2

MANDATE

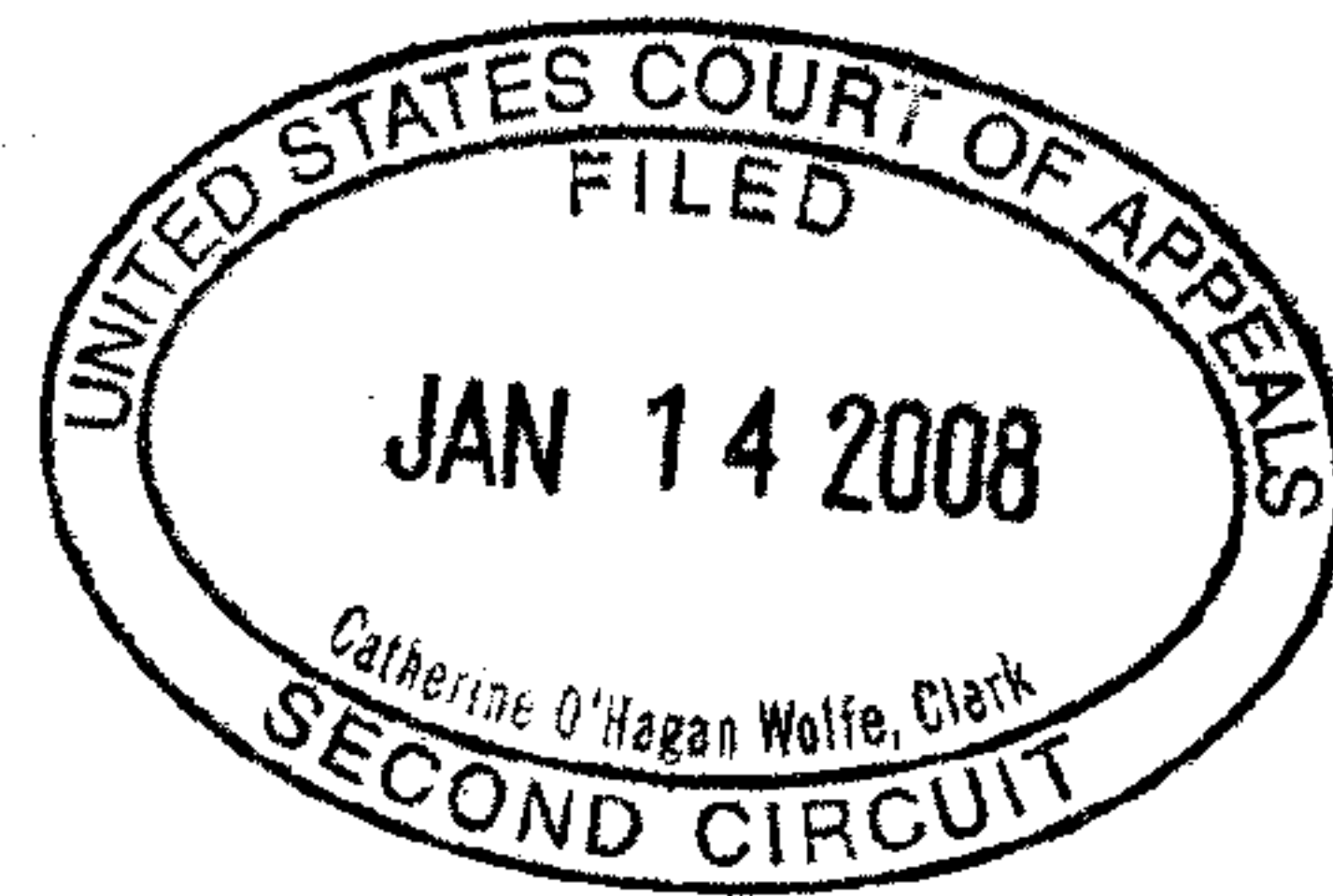
S.D.N.Y.-N.Y.C.
07-cv-5859
Batts, J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 14th day of January, two thousand eight,

Present:

Hon. Chester J. Straub,
Hon. Richard C. Wesley,
Hon. Debra Ann Livingston,
Circuit Judges.



Maverick Kendrick,

Plaintiff-Appellant,

v.

07-4555-cv

Greenburgh Housing Authority, Greenburgh
Town Hall Clerk Office,

Defendants-Appellees.

Appellant, *pro se*, moves to proceed *in forma pauperis* in his appeal of the district court's dismissal of his action. Upon due consideration, it is hereby ORDERED that the motion is GRANTED, the order of the district court is VACATED, and the case is hereby REMANDED for further proceedings on appellant's Fair Housing Act retaliation and familial status discrimination claims. Plaintiff avers that he was evicted shortly after making complaints against the alleged discriminatory practices of

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ISSUED AS MANDATE: FEB 11 2008

the Greenburgh Housing Authority, which could constitute retaliation under the Act. Plaintiff further claims that his rent was increased based on his minor children's summer income, which could constitute familial status discrimination in violation of the Act. *See* 42 U.S.C. §§ 3604(b), 3617; *Trafficante v. Metro. Life Ins. Co.*, 409 U.S. 205, 209 (1972). Upon remand, the district court may consider whether to exercise supplemental jurisdiction over plaintiff's state law claims.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: 

A TRUE COPY
SAO:PR
Catherine O'Hagan Wolfe, Clerk

by 

DEPUTY CLERK